

respectfully requests that the Examiner reconsider and withdraw the restriction requirement.

FIG. 1 illustrates an encoding path from a Blocking element 104 to a buffer (BUF) element 118, including a Motion Estimation (ME) element 134, a Motion Compensation (MC) element 136 and a Picture Store (PS) element 132. Therefore encoding claims 1-22 and 24 read on FIG. 1. FIG. 1 also illustrates a decoding path from an inverse quantizer (Q^{-1}) element 124 to the PS element 132, including the MC element 136. As stated on page 12, lines 12-13 of the specification, "the circuits 122, 124, 125, 126, 128, 130 and 132 decode and reconstruct selected pictures, most notably, reference pictures from the encoded video signal itself." Therefore, decoding claims 25-33 also read on FIG. 1. As such, all of the pending claims read on the elected Species I.

The restriction to a single species does not appear to be proper since claims 24, 25, 26 and 33 also read Species II (FIG. 2 of the application). FIG. 2 illustrates a decoding path from a Q^{-1} element 210 to a PS element 224, including an MC element 220, that mirrors the decoding path of FIG. 1. FIG. 2 also illustrates a BUF element 202, mirroring the BUF element 118 in FIG. 1, for storing the encoded video signal (claim 24). Therefore, claims 24-33 read on both FIGS. 1 and 2. As such, the restriction to a single species should be withdrawn.

The implied restriction to a single invention does not appear to be proper for lack of evidence of a serious burden. "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent and distinct inventions." (MPEP §803, under the heading Restriction-When Proper). In contrast, a first Office Action on the merits for original claims 1 and 12 (encoding) and original claims 25 and 26 (decoding) has already been issued. The first Office Action means that a search and an examination have already been performed indicating a lack of a serious burden. Therefore, the Examiner does not appear to have established a *prima facie* case why there would be a serious burden to search and examine the entire application (MPEP §803). As such, the implied restriction to a single invention should be withdrawn.

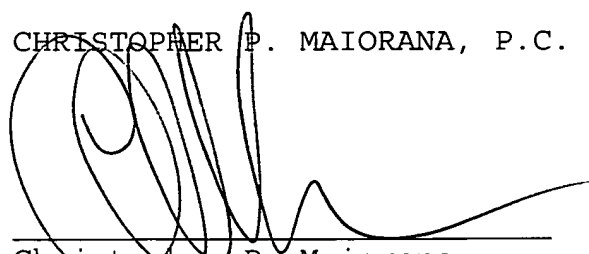
The Examiner is respectfully invited to call the Applicant's representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge our office

Account No. 12-2252.

Respectfully submitted,

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